



United States Bankruptcy Court for the District of Oregon

Albert E. Radcliffe, Judge

Virginia H. Denney, Judicial Assistant
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February 6, 2009

Mr. James Michael Koch
838 Pool Street, #38
Eugene, OR 97401

RE: KOCH, James Michael; Case No. 09-60208-aer7
Objection to Notice of Intent to Not Grant Discharge

Dear Mr. Koch

The court has reviewed your objection to the court's notice of intent to not grant a discharge. In your objection, you admit that you received a discharge under Chapter 7 of the Bankruptcy Code in Case # 03-33367-elp7 filed on April 1, 2003, which was within 8 years of your present case's filing. You further detail the financial circumstances which precipitated your current filing. While the court is sympathetic to those circumstances, it cannot sustain your objection. Unfortunately, § 727(a)(8) of the Bankruptcy Code does not allow an exception for hardship or exigent circumstances. An order will thus be entered overruling your objection and denying your Chapter 7 discharge.

I urge you to seek legal counsel so that you may consider your options.

Very truly yours,

ALBERT E. RADCLIFFE
Bankruptcy Judge

AER:vhd

cc: Ms Rebecca Kamitsuka, U. S. Trustee Attorney
Mr. Thomas Huntsberger, Trustee